

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Christopher McGinnis	:	
	:	
v.	:	C-2024-3050741
	:	
FirstEnergy Pennsylvania Electric Company	:	

**INTERIM ORDER
ATTACHING LATE-FILED EXHIBIT TO
AND CLOSING HEARING RECORD**

An evidentiary hearing was held on February 13, 2025. Both Complainant and counsel for the Company were present. During the hearing, I directed Respondent to submit a late-filed exhibit, FE PA Ex. 15. Tr. 144. I gave Complainant until March 6, 2025, to file any objection to the admission of FE PA Ex. 15. *Id.*

On February 20, 2025, the Company emailed FE PA Ex. 15 to me and Complainant.

Complainant filed no objection to the admission of FE PA Ex. 15.

THEREFORE,

IT IS ORDERED:

1. That FE PA Ex. 15, attached to this Order is admitted into the record without objection.
2. That the record at Christopher McGinnis v. FirstEnergy Pennsylvania Electric Company docketed at Docket No. C-2024-3050741 is closed.

3. That an Initial Decision shall be issued in forthwith.

Date: October 22, 2025

_____/s/
Emily I. DeVoe
Administrative Law Judge

REGER RIZZO
DARNALL LLP
ATTORNEYS AT LAW

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February 20, 2024

Via Electronic Mail

The Honorable Emily DeVoe
edevoe@pa.gov

**Re: Docket No. C-2024-3050741
Christopher S. McGinnis v. FirstEnergy Pennsylvania Electric Company
Proposed Late-filed Exhibit #15 of FE PA (West Penn Rate District)**

Your Honor:

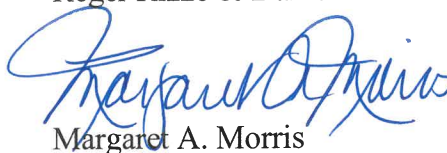
Pursuant to your directive at the Telephonic Hearing on February 13, 2025, attached please find Proposed Late-filed Exhibit #15 of FirstEnergy Pennsylvania Electric Company regarding the amount of herbicide applied on the ROW across the Complainant's property.

A copy of Proposed Late-filed Exhibit #15 has been provided to the Complainant in the manner indicated on the enclosed Certificate of Service.

If there are any questions, please feel free to contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/co
Enclosures

cc: Rosemary Chiavetta, Esquire, PA Public Utility Commission [Cert. of Service only]
Tori Giesler, Esquire, FirstEnergy Service Company [w/encls.]
Christopher S. McGinnis [w/encls.]



Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Harrisburg, PA 17105-3265
EFILING - FILING DETAIL

Date Created	Filing Number
2/20/2025	2717699

Your filing has been electronically received. Upon review of the filing for conformity with the Commission's filing requirements, a notice will be issued acknowledging acceptance or rejection (with reason) of the filing. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

The date filed on will be the current day if the filing occurs on a business day before or at 4:30 p.m. (EST). It will be the next business day if the filing occurs after 4:30 p.m. (EST) or on weekends or holidays.

Docket Number: C-2024-3050741

Case Description: Christopher S. McGinnis v. FirstEnergy Pennsylvania Electric Company (West Penn Rate District)

Transmission Date: 2/20/2025 3:30 PM

Filed On: 2/20/2025 3:30 PM

eFiling Confirmation Number: 2717699

File Name	Document Type	Upload Date
McGinnisCOS (Late-filed Exhibit #15).pdf	Certificate of Service	2/20/2025 3:29:50 PM

For filings exceeding 250 pages, the PUC is requiring that filers submit one paper copy to the Secretary's Bureau within three business days of submitting the electronic filing online. Please mail the paper copy along with copy of this confirmation page to Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg PA 17120 a copy of the filing confirmation page or reference the filing confirmation number on the first page of the paper copy.

No paper submission is necessary for filings under 250 pages.

You can view a record of this filing and previous filings you have submitted to the PUC by using the links in the Filings menu at the top of the page. Filings that have been submitted within the last 30 days can be viewed by using the Recent Filings link. Older filings can be viewed by using the search options available in the Filing History link.

**Re: Docket No. C-2024-3050741
Christopher S. McGinnis v. FirstEnergy Pennsylvania Electric Company
Late-filed Proposed Hearing Exhibit of FE PA (West Penn Rate District)**


CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person(s), in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Via First-Class Mail

Christopher S. McGinnis
267 Williamson Road
Templeton, PA 16259

Dated: February 20, 2024


Margaret A. Morris, Esquire

Docket No. C-2024-3050741

Christopher S. McGinnis v. FirstEnergy Pennsylvania Electric Company

The Hon. Emily DeVoe

Hearing: Thursday, February 13, 2025; 10:00 a.m.

Call-in Hearing No.: 888.547.8922; PIN: 74903461

PROPOSED HEARING EXHIBITS OF FE PA (WEST PENN RATE DISTRICT)

1. Aerial Photos of McGinnis Property
2. Recorded Deed and Easement for Property
3. 2023 Cycle Notification prior to McGinnis ownership
4. Certified Letter: General Notification and signature Feb. 2024
5. Property Owner 2024 Work Plan
6. ANSI A300: Standard Practices Vegetation Maintenance
7. Best Practices-Integrated Vegetation Practices
8. Specimen Label for Escort XP
9. Specimen Label for Method240SL
10. Specimen Label for Liberate Adjuvant
11. Specimen Label for Arsenal
12. 2019 HVF Concentration
13. 2024 LVF Concentration
14. CV for Expert Witness Salvatore Quattrocchi
- 15. Herbicide amount used in 2024***

* Late-filed exhibit



DATE	SUB AND CIRCUIT OR LINE NAME	SPAN/ POLE NO.	LOCATION	HERB	HERB AMOUNT	SG. FT. OF BRUSH	Returnable _Barrel_Nu mber	Concentrate _Amount
6/15/2024	TMU-385	41-37	JOSTHON RD	LVF10	130.00	415215	125973	8.48

Docket No. C-2024-3050741
Christopher S. McGinnis v. FirstEnergy Pennsylvania Electric Company
Explanation of Information on Late Filed Exhibit 15

The Circuit Name	TMU-385
Spans reflected on timesheet	37-41 ¹
Location	Closest street
Herbicide Mix Code	LVF-10
Herbicide Amount Used ²	130 end use gallons
Square foot of brush	415,215 sq. ft.
Returnable barrel ID	125973 ³
Concentration used	8.48 gallons

Notes:

- Using LVF method, the number of gallons is limited to 28 gallons per acre; Spans 37-41 used 13.64 gallons per acre.
- Total square footage of brush (415,215) – Acre in sq. foot (43,560) = 9.528 acres
 - 130 end-use gallons ÷ 9.528 acres = 13.64 gallons per acre
- Concentrate ingredients in 15 gallon barrel: 3 Active herbicide ingredients: 7.67% Arsenal; 7.67% Method; .92 oz/gal^[1] Escort; 15.33% Liberate adjuvant and 69.33% inert ingredients.

¹ The ROW across the Complainant's property at Span 41 is approximately 1 acre in length. No herbicides were used on the ROW for Span 42 across Mr. McGinnis' property.

² Carrier (water) is approximately 95% with 5% herbicide blended mixture.

³ Each barrel holds 15 gallons of blended herbicides or 230 end-use gallons; 130 end use gallons were used on spans 37-41

^[1] Escort XP percentage is less than one percent so expressed in ounces per gallon. For Escort XP it was .92 oz. per gallon. This drum was 15 gallons so .92oz X 15 = 13.8 ounces used on spans 37-41.

**C-2024-3050741 – CHRISTOPHER S MCGINNIS v. FIRSTENERGY PENNSYLVANIA
ELECTRIC COMPANY FKA WEST PENN POWER**

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TEMPLETON PA 16259
724.664.8386

Served via USPS First-Class Mail – October 22, 2025

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Served via eService – October 22, 2025

(Counsel for FirstEnergy Pennsylvania Electric Company (West Penn Rate District))

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